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### 2020-2021 FACULTY SENATE XXV - July 13, 2020 Minutes Summary

Faculty Senate

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UNIVERSITY OF NEW HAMPSHIRE  
2020-2021 FACULTY SENATE XXV

The fundamental function of the approved minutes of the Faculty Senate is to accurately document actions taken by that body. Additionally, the minutes traditionally seek to provide context by capturing some statements of Senators, faculty in attendance, and guests. The minutes do not verify the veracity, authenticity, and/or accuracy of those statements.

Meeting called to order at 3:10 pm on July 13, 2020 via Zoom

MINUTES SUMMARY

I. Roll – The following senators were absent: Cappiello, Colleran, Caron, Feldman, Herold, Robin, Seal, Shannon, and Zaimes. The following senators were excused: Holznienkemper. The following were guests: Wayne Jones.

II. Remarks by and questions to the provost - The Senate chair welcomed Provost Jones who shared some updates and answered questions as follows:

The provost said that he had a productive conversation last week with the Faculty Senate Agenda Committee and the chairs of the Senate committees and appreciated the opportunity and the follow up with some additional questions

Provost Jones shared some context about the Green, Yellow, Orange, Red options for reopening saying that UNH's target is to open in Yellow. New Hampshire, as a state, looks like we will be there but based on what is happening in nearby states they may have trouble doing the same

If we end up achieving the Yellow mode most faculty - but not all faculty - will be coming to campus to teach their courses and we would be doing a number of things on campus that are all student focused. It doesn't mean it will be all business as usual. I would imagine that most department meetings might stay virtual and that most department offices will not be staffed fully. Of course, if we move to the Orange state there will be even fewer because most faculty and staff would not be coming to campus.

In terms of the Yellow and Orange mode, students will be under normal operations control which means that students Rights, Rules, and Responsibilities will be in effect. The Conduct Office is operating. If a student does something on or off campus that is inconsistent with public health, we are in a position to take action and we can take action immediately. We have penalties that we can put into place. In fact, students will be signing an informed consent document as a part of their bill and their registration process. This is not a liability waiver. You may have read in the news that many schools are using liability waivers. We don't believe in that approach. But we do want them to acknowledge that they have a role to play here and if they don't follow these rules they cannot come to campus and we want them to know what that looks like.

If we pivot to Red, then there is nobody on campus and much of what I talked about would not be operating and also Housing and Dining would not be operating. In the spring when we pivoted to Red, all of the Housing and Dining staff remained employed even though they weren't coming to campus. If we pivot to Red this fall, they will not remain employed. Those will be furloughs and

layoffs and that will include a lot of other support staff that would normally be supporting the regular operations. So, that is something we must pay attention to.

When are we going to make the decision? We know certainly for the fall and probably next year and maybe for a couple of years, we may have to pivot between these different levels. We are looking at the last week in July or the first week in August as the time when we will make a Go/No Go decision on whether we will be in a Yellow, Orange, or Red condition. The newest part of the conversation is – that members of the Agenda Committee and Senate committee chairs raised - is whether we could open in Orange for a couple of weeks first to make sure that nothing changed dramatically from our testing protocol. And that is not out of the realm of possibility. I had originally thought that we would stay Red and then jump right to Yellow. But there is some value in thinking of coming in through Orange which would involve being remote for the first two weeks of teaching then going into Yellow assuming that the data looks good. There are some pluses and minuses to that because we want to make sure we keep students engaged. However, those conversations are going to get started up this week and I've given to the group looking at this the names of members of the Agenda Committee to maybe participate in those conversations to see what that would look like. To the core answer of when we would make the decision, we feel that by August 3rd we need to have a decision as to a refined target for reopening. Separate from that, we have been trying to figure out what it is going to look like if the pivot occurs. Imagine if you live in Florida right now where they had 17,000 positive tests the other day. I will tell you if we have even a fraction of that there is no way we would be moving from Red.

We have set up a matrix and the matrix has the Green/Orange/Yellow/Red modes of operation and a set of about 8 criterion for decisions including these:

*What are the New Hampshire number of positive cases ?*

*What are the New England positive cases?*

*How many hospitalizations are there?*

*Are ICU beds threatened in any way?*

Of course, on campus, we would have to think about:

*What is the on-campus positive rate from our own testing?*

*What percent of our covid isolation beds are being used?*

*What percent of our quarantine beds are being used? (Note, isolation is when you test positive and quarantine means that you were exposed and being monitored.)*

That is the matrix we are putting together right now. We just had a meeting with the NH Department of Health and Human Services and the state epidemiologist Ben Chang. Dr. Chang argued that we should not insert specific numbers in our matrix. We tried to get specific advice. He loves the idea of a matrix, but he wants us to put numbers in there and then he and the USNH board want to approve them. I think the reality is that it is going to end up being ranges. So, for example, for the number of cases of Covid in the state of NH, maybe we say it has to be between 200-800 cases. I made those number up. They are totally arbitrary. So, right now the state is at 630 so we would be in Yellow condition by the total number of cases in the state. If we get less than that we can go to Green. If we have more than that we would want to pivot to Orange. That is one of 7 or 8 different criteria that we would work on. My goal would be that I am in a position to share that

matrix with you in a confidential sense by the end of next week. It must be approved by the board and by the state epidemiologist before I can share.

I hope my email helped last week with respect to the accommodations process. The first round of approvals of either direct ADA related medical accommodation, or the flex work all rolled out to the deans last Friday. We have had approximately 130 requests and most of them drop into one of those ADA categories. A few did not. Those are going to the deans and department changes. Last week the deans were talking with the department chairs and the goal is to get those conversations going and to get to them this list of faculty who need a specific accommodation due to medical reasons.

There is no specific number for the percent of courses that will be offered in a remote manner. However, I want the deans and the department chairs to have a conversation about what is the right mix for the college and departments. We do not want to have 90% online for one department and 5% online for another. The deans agreed that were not going to have a “one size fits all” model. In one of our colleges, 60% of their courses were already online. Another college had less than 5%. It is an apples and oranges comparison. Some of our colleges have labs or other types of face-to-face courses that can’t easily go online. So, we are leaving that to the deans and department chairs. I’m having a meeting with the department chairs tomorrow afternoon and we are going to talk through this a little bit. I am asking the department chairs to not make any final decisions on that until they get the list of medical accommodations first and have the conversation with the dean about what they anticipate the portfolio of courses would look like under Orange versus Yellow. I don’t want that decision coming from the provost office. The responsibility of the provost office is to keep the deans talking to one another so that we don’t get unfairness between colleges. We want to have a balance without being too prescriptive.

**Senate chair, Erin Sharp:** Since so many of these decision are really college centered, can you encourage the deans to have an open forum with all of their college faculty as soon as possible to share decisions about what that right mix is going to look like and about the process?

**Provost Jones:** Sure, several of the deans already have but I will make that a point tomorrow at the Dean’s meeting. I already said to them that I wanted them to put out a communication to all the faculty and staff in the college and this would layer on top of that.

The other issue under the teaching category is classrooms. The preparation of classrooms is going very well. All the tech is in. It is being installed. All of the Owls are here. We are in the process of doing testing with the different devices including the Owl. For example, if you are wearing a mask how well does it work? Zoom is pretty good at noise cancelation but it’s not really good at making a muffled voice clear and so they are doing testing about what the right settings are and what guidance we can offer to faculty to help them through that. Similar training is going to be provided for teaching assistants and graduate students. They are a little bit later in the process and there is a separate communication going to them. They also have access, if they are an employee of the university, to the same accommodation procedure that faculty have. It is going to lag about a week behind the faculty process.

Since I mentioned graduate students, I will just briefly say that I was very disappointed last week to read the ICE (Immigration and Customs Enforcements) ruling from the federal government. Obviously, we are very opposed to that. We stated out our position on this publicly. We also signed

off on the amicus brief in support of the Harvard/MIT lawsuit against the federal government. In addition, I am meeting with a group of international students to talk with them and answer their questions with Cari [Moorehead] because we want to demonstrate for them exactly how we're going to achieve the letter of the law so that international students can continue their studies here regardless of whether we are in Yellow or Orange. It will get difficult if we must go to Red. But under Yellow and Orange we believe we have the right language and we worked with departments to make sure that the international graduate students will be okay.

Let me highlight on general communications. Thank you to Kathy for continuing to collect comments from faculty senators through the link that Faculty Senate has up. I get an update of that every week or two and I go through them. In this week's update there were several comments about communication and the idea of a weekly communication. From my perspective I'm writing one or two weekly communications. We have five going out this week to different constituents. However, they are always very targeted so there is no general place to get the latest information. I thought it was a great idea to maybe set up that perhaps every Monday there is going to be an update that goes out with the latest information to the campus community. I have already sent that idea to CPA and we are going to see if we can get that implemented next week. In the meantime, what we have done is we are updating the coronavirus website weekly and we have now posted the Education plan, the Student plan, and the Research plan to the reopening website. There is one more document that is going to be a summary of the other plans that is going to go up. And the final plan needed is the Testing and Tracing plan. That has been the trickiest one. The state has been very actively involved in controlling how that is going to work. At first, they didn't have a lot of trust in what we were doing. Now they do. One complete set of our equipment is in and being set up to operate. The backup set is 50% here and should be set up by the end of the week. But we are now in a position to do tests. Right now, we have 80,000 kits in our hands and about 320,000 swabs. So, we are in a very strong position in terms of testing. The state has also approved our liaison plan and has acknowledged that if we are doing screening – when you screen a population you pool samples. Screening allows us to do our own tracing independent of the state because it is not a certified test. It is leading to the warning of a screen. I think it would be useful perhaps at the next faculty senate meeting if you plan one soon is to have VP Marian McCord and Chief Dean come and talk about testing and tracing. There is a lot of data there. Special thanks to Professor Kelley Thomas from COLSA who has led that charge and has done a great job.

**Erin Sharp:** We are not, hopefully, going to have another full Senate meeting this summer. However, I think there is a lot of interest in the testing. Would Dr. McCord and Chief Dean be able to have a town hall meeting specifically for health and safety and testing?

**Provost Jones:** I would be willing to do that with the Faculty Senate and put it out to department chairs. Let me talk to them and see where they are. The Board of Trustees wants final approval. Now, my biggest challenge is that they want us to do all the testing for Keene and Plymouth and that dramatically increases our costs and they are not going to fund it. So, we find ourselves in the flipped position. But I think as early as next week we might be able to have that conversation. So, I will reach out to Marian McCord and Chief Dean to see if we can set it up.

**Erin Sharp:** I think the weekly updates would be a great idea. I know they have been useful for Senate to do our Friday updates. I hate to look at the calendar but here we are July 13<sup>th</sup>. Things are moving quickly so every day I think there is going to be some new important piece of information, so, I think that's a great idea.

**Provost Jones:** I can guarantee you every day will bring new information. We are getting ready to send out a message to all students because the Registrar has now been able to take and build the classroom schedule draft based on Yellow and Orange and has sent the draft of that out.

The bad news is that under normal operating conditions when the registrar runs that query it automatically changes things in Banner. So, some students noticed that some of their courses flipped from regular to online. However, the reality is that that the changes are not set in stone. We are still modeling things. The way the students are seeing it is not final. We are sending an email to them to say:

- 1) You are going to see changes. The process is still going on. Don't take action until after July 22<sup>nd</sup>.
- 2) Our plan is to hit Yellow and to have face-to face instruction.
- 3) A survey question to ask if any of them are currently thinking that they are not coming back to campus and instead would prefer to work remotely. If so, they can work with their advisor or academic dean's office to look at their schedules to do that.

That should go out in the next 24 hours or so to students. I think that is going to help us get a better snapshot. I have heard from some students who have been very clear that all their courses be available remotely for the fall. I have heard from many others that are vehement that their classes have to be face-to-face or they're not coming back. We are getting to the point where people are making decisions and we have to make sure that they are making informed decisions.

**Erin Sharp:** Could you share that email with faculty and staff when it goes out since we are often fielding questions.

**Provost Jones:** That is a great point. About three or four weeks ago I told the CPA group that anytime a message goes out to students it should also be sent to faculty and staff, so they are aware. You have probably seen a couple of them, but you are going to see more this week. The other messages that are going to go out this week have to do with other parts of the campus that may or may not be operating normally in the fall.

**Senator Gregg Moore:** We do have courses that are online this summer. I'm not sure if this is the right forum but, after having just wrapped one up today, is there any value in getting any kind of media out about how students are actually enjoying some online learning instead of students just inherently fearing of disliking it.

**Provost Jones:** I think it is a neat idea. Can I have someone follow up with you? I will tell you that last fall we had about 4% of our undergraduate courses online. As of right now we are at about 10% and I expect that number to go up. But I think that if we are in the Yellow condition, we probably don't want it to go too far above 25%, just to put a ballpark on it. But there is probably going to be a mix. I am also really pleased with the work that has been going on in terms of labs and studio arts. There is a really a lot of creative work at the department level and we want to support that as much as we can.

**Steven Pimpare:** I have three quick questions. The first is related to the matrix and local developments. 50% of our students come from outside the region. Could you please talk about the

way in which what is going on in the places where our students are coming from affects how we make the decisions on how and to what extent to open up campus?

Second, you said that the first round of HR decisions about ADA requests went out. Can you say whether there were any denials that were issued and whether that means that there are faculty that do not want to teach on campus who will be required to do so none the less?

Lastly, you said in thinking about distribution of on the ground versus online courses that you didn't have a set number, but you want consistency across departments or colleges. Can you explain why? What is the virtue in that consistency across departments and programs? You, yourself, note that we ordinarily, have widespread variation? Why are we pushing for the consistency now?

**Provost Jones:** The reality is 60%-70% of our students are from Massachusetts and NH. That is the dominant portion of our population and then if you take into account the New England states you get 80+% of our population. Now outside of that we have to think about international and we have students from 49 states across the US. There are conversations going on right now about how to deal with out-of-state students. At its core, I am watching all the New England states. So, part of that matrix is, "what is the number of cases and the positive test rate in the New England states?" because I want to know what that matrix looks like. But whether Texas is hot or not doesn't really affect if we open. It might affect how we deal with students coming in from Texas, but it doesn't affect if we can be in a Yellow status. We would just deal with those students differently.

As far as accommodation denials, I don't have a number. There were a small handful of applicants who were referred back to their dean because there were really no medical circumstances. The deans are being asked to work with these employees to accommodate or support them in some way. So, just because someone is coming through that ADA process and might have been in that third bucket, does not mean that they are going to be forced to teach on campus. It just means that there was not a medical reason. Instead, we are advising them to have the conversation and brainstorm what would work for them.

The last question is the trickiest one. I want to acknowledge that for UNH Manchester, it is an outlier in that conversation because for those that don't know, 95 - 97% of Manchester students are not residents of the Manchester campus. They live at home. It is a very different environment and they start out with a lot of courses that have already been approved online and have gone through that process already. That is why I didn't want to set a number. I'm thinking there will be some differences particularly in that circumstance. When I say I'm working for parity, what I worry more about is the Durham campus and making sure that we don't have a student that perceives a difference by college, a difference in the way they're being treated by college. If they are going to be on campus, I'd like them to get that face-to-face experience. That is why they are going to be here. At the same time, I realize that some departments are set up more for it than others and I will defer to the deans to make sure the balance is equitable.

**Senator from COLSA:** If a faculty member plus department chair agree on the teaching mode appropriate for a given class might that be overridden by a dean or provost?

**Provost Jones:** I would be very surprised if it was overwritten by a dean or a provost. But what I would say to the faculty member and department chairs, let's be patient because we want to take care of our colleagues with medical conditions first. So, it is a little bit of a timing thing. I really

find it incredibly unlikely that at a level of a course that you will find the provost or the dean cherry picking and saying no. It's probably going to be a conversation with the department chair like this, "Oh, so your department is at 22% and the department over here is at 40%. We really need to have these a little bit closer, how can we do that and what's your thinking?"

**Senator from COLA:** My question comes from rumblings about the situation that students will be brought back in a staggered fashion so that some students could conceivably be on campus 2-3 weeks before classes begin. We are just worried about the safety of the students and community as well if the students are on campus without something constructive to do. So, do you all have plans for those students?

**Provost Jones:** I should be very very clear the staggered reentry approach doesn't have students coming and staying. It has the students coming and dropping off their stuff and going home and, depending on where they are coming from, getting a covid test before they leave and another one when they come back. So, the staggered approach does not involve students being here for multiple weeks with nothing to do. We typically have the pre-arrival group and that is a group of about 500 students. They are student athletes, residence hall assistants, and orientation leaders - students who are going to help other students transition into the campus. The athletes do not have a lot of time on their hands. The other students are actually employees and they're working. They are doing things trying to get ready for the fall semester, so it is not just a free-for-all where they're sitting around with nothing to do. Even having said that, that would normally happen on August 10<sup>th</sup>. Depending on the announcements that may or may not come out in the next week, that date may get moved because we might not need them to be here that early. We might be able to do some of that training online. However, no matter what happens with the pre-arrival group we are still offering students the opportunity after August 10<sup>th</sup> – on a scheduled basis - to drop their stuff off in the room so we don't have that crunch in the 4 or 5 days before the semester starts with parents coming into Durham by spreading it out. It is very similar to what we did with the exit strategy when we had them come and get their stuff to leave in the spring.

**Senator from COLA:** This is a question from one of our faculty members. We learned that we cannot require students to wear a mask if they have a preexisting medical condition or a mental health issue and we also cannot ask them to not attend face-to-face classes. Is there a guideline for faculty to follow from a logistical standpoint so that we can keep everyone safe but not violate the ADA rules?

**Provost Jones:** If you hear about a student like that, they should immediately contact the SAS (Student Accessibility Services). They are already fielding some of these questions. There are some accommodations that can be managed for these students that don't involve a face mask that might involve a face shield or maybe doing lectures through zoom and meeting with the faculty member separately. And there are other things they can do too. There are a number of those student who have already self-identified that they're not going to be coming back to campus and they are doing their courses remotely. We are trying to work with each of those students on an individual basis to support them where they are. The faculty member should not have to do any of that work. The faculty member would be notified ahead of time about their accommodation and if they were going to wear a face shield instead of a face mask.



**Senator from CEPS:** As you know, the circumstances are pretty dire for international students and as far as I understand, as soon as we move to online teaching in November, international students will either have to leave the country or have to transfer to a different university. As you know I tried to put in a motion so we can address that issue. Do you have any recommendations for how to frame the motion exactly to take care of both graduate and undergraduate international students?

**Provost Jones:** Thank you for calling out both undergraduate and graduate students. They are two very different populations. An international graduate student that is in a PhD program that can do one credit of continuing research is going to be in a much stronger position than an undergraduate who has to take four courses. What we are trying to do is establish that for a student who is in a remote classroom where they are meeting with the faculty member at least once a week or they have access to equipment or facilities, would this qualify for the federal government. We are not alone in trying to make that happen. That is what we are driving for. Any motion from the Faculty Senate that supported us ensuring that international students had access to that would be helpful.

Also, I'm not sure how this will play out in the federal government. The noise on this ruling is so loud. There are lawsuits from every corner and professional societies have gotten involved. Foundations and universities have gotten involved. I will be surprised if we don't see a reversal, but we are trying to support our students where they are. A motion from the Faculty Senate that said that we are going to support those international students with appropriate face-to-face interaction would go miles.

**Senator from COLA:** Can you provide us with an update about Shorelight?

**Provost Jones:** No, I have not had an update about Shorelight. I have no information. I will reach out and find out the latest. I will say that we did not build Shorelight into our budget model. I will get information back to the Agenda Committee to share.

**Senator from COLA:** What is UNH doing to get bailout funds?

**Provost Jones:** I'm not sure what you mean by bailout funds, but I would say that if you are talking about getting access to CARES funding, there are two levels of CARES funding so far. There is some discussion about whether there will be another CARES package, but we will see.

We are continuing to work with the state to go after the state's pocket of the CARES funding because the higher education pocket has all been spent. It was targeted back to students and with the exception of approximately \$1 or \$2 million that we still have left to support students in the fall if we need pivot, it is all spent.

On the state side we have had good success. The good news is that they have said they want to support the additional scholarship money we have had to deploy because of covid. They want to support testing and tracing. The number they've given us in that realm is nowhere near what we need but it is positive support and I think there's still opportunity there to get additional support, particularly if the state and the rest of the System look to UNH to be their back stop for testing. I think there will be more revenue for us to get there to keep things going.

I will say that, simultaneously with that, there are some conversations going on about how business revenue is down in the state. Therefore, the state won't have as much money so maybe they might

go back and give us less base funding than what they put in the original budget. We will advocate against that, but I worry a little bit that we'll get more CARES money and less state money, and it will be a wash for us and does not help. So yes, we are still advocating for those CARES dollars. Last time I looked there was about \$400 million left in the state. There are lots of folks with demands on that money including our K-12 colleagues, so we have to remain vigilant at the table.

**Senator from COLA:** How will faculty know how many students, faculty, and staff have tested positive while on campus and what their recovery status is? Will we have a dashboard similar to the one run by NH DHHS?

**Provost Jones:** Our plan is to build a dashboard that will show those key metrics that we are monitoring and to have it be one click away on our coronavirus page. We haven't built it yet but my current thinking is that on that page we would reflect the DHSS data: state positive cases and state covid patients in the hospital, and then do the positive tests numbers and the percentage of students in the covid dorms.

For HIPAA reasons we cannot put out names but the dashboard data we can do.

**Senator from COLA:** I was also thinking of the batch testing idea and it makes sense for screening but if there's a positive in the batch don't you have to test individually and then won't you have to report those results to the state? And won't they then be doing the contact tracing?

**Provost Jones:** The answer is No. When you have a pooled sample – let's assume that 5 people get swabbed - what you do is take 25% roughly of each of those samples and grow them as one pool but you save the original. So, as long as we are doing tests within 24 hours and we're keeping sample integrity, if a pool comes up positive, we can go back and use the original samples to test down to the level of the individual.

Now doesn't that take us to where the state has to do the tracing? Yes, but we are allowed to immediately communicate with the folks that were in the pool and have them isolate. So, we can start the trace before the state takes it on as an official positive test and the state office has said that is ok.

**Erin Sharp:** Thank you so much for your time. We still have many questions. We will collect them and get them to you.

**Provost Jones:** If you get them to me with the name I can get back to individuals. I apologize that if you don't get an answer directly from me it may be that I will be farming it out because others have more expertise than me.

III. Remarks by and question to the Chair – The chair shared the following updates:

- In response to questions about who can attend Faculty Senate meetings, there will now be a statement in the agenda as follows stating that any person who has a faculty appointment in the department can attend a faculty senate meeting even if they are not a senator. Anyone else must be invited by the Agenda Committee. If we saw someone on the Zoom call who didn't have an invitation, we would address that.

- The Zoom meetings are being recorded but they are not publicly available or being shared. They are for the purpose of preparing the minutes.

- The Faculty Senate website - <http://www.unh.edu/fac-senate> - has been updated with the new senate membership and committee assignments.

- Approximately two years ago the Faculty Senate began to focus on the issue of UNH's use of myElements to populate faculty information on department websites. This process involved pulling faculty names directly from Human Resources data. This created a problem for faculty and staff who have professional names different than their legal name because the legal names were now showing up in important places on UNH webpages and in teaching applications. This turned out to involve a complicated fix. However, you should have now received an email about an option in WISE that allows you to indicate your preferred name. A big thank you to Bill Poirier's [UNH CIO] group and to the IT Project Manager, Amy Hodgdon, for this effort. It was incredibly complicated. Amy contacted content experts, including people from the Senate, and this resulted in an additional element to the project that resulted in an option for employees to indicate their preferred pronoun and gender identity.

- Academic technology recently sent out an email that includes a link to the results of a USNH survey of students that was conducted in the spring about their experiences with remote learning. I reviewed the report that has results broken down by campus and some open-ended results. For UNH about 13% of the student body participated.

- A special thank you to Kathy Brunet for the Minutes from the June 29 meeting. They were 24 pages and they were in high demand because they provided some important information from the provost and Dean Dillon from that meeting.

- I have been to a few meetings with HR representatives about the accommodation process. The HR link is the place where you should go if you have a specific health issue or if you have a family member with a health issue that you are caregiving for. We have been told on various occasions that there is a third bucket that might involve age or personal concerns, safety concerns, childcare issues, and that these can be submitted directly to your chair. However, there is a link on the HR page for this third bucket of issues. From the HR perspective, this is where we are supposed to go to fill this out. The request does not go through an HR representative, but the links should still be used. When I asked for additional clarification, the provost has said that you can do either or both. But I think it is important that we all use the same process. If you are going to your chair and you are not getting the support or attention that you need on these issues that are not ADA or medical, you can fill out the link on the HR website.

A CEPS senator pointed out that he and other faculty members have young children at home and that accommodations related to this needs to be taken care of. His chair told him that he has no way of dealing with this or a way to bring this up to the dean and he was advised to take any other route to request an accommodation.

Erin pointed out that the HR accommodation page indicates that they are trying to work through childcare issues. I believe that Provost Jones has said that if local districts were not open, then UNH would not be open for face-to-face. I know that there are some families that will choose to not send

their children to school even if they are open. I suggest that you complete that link on the HR page. I also suggest that you reach out to Provost Jones directly.

V. Approval of the Minutes from June 29, 2020. Changes were suggested for Section II. It was moved and seconded to approve the minutes of June 29. Thus adjusted, the minutes were unanimously approved with two abstentions.

VI. Motion on the Academic Calendar for Fall 2020 – The chair, Erin Sharp, explained that she took the questions and issues about the calendar motion at the June 29 Faculty Senate meeting back to the Reopening Education Committee. As a result of this feedback and discussions in the Education Committee, there is a new proposal for the Fall 2020 Academic calendar.

The changes included adding back the Veteran’s Day and Labor Day holidays and that there be no classes on the Wednesday before Thanksgiving. However, the committee did recommend that the mid-semester break continue to be an instruction day as was proposed.

Erin pointed out that the undergraduate student senate met last night and voted to urge the Faculty Senate to end face-to-face instruction on Friday, November 20 and to approve a flexible work week for the 3 days up to Thanksgiving. Their motion also encouraged the Faculty Senate to make all mid-semester holidays and breaks instructional days at the discretion of each course’s professor. Tyler Silverwood, vice president of the Student Senate spoke to share some background about this student senate motion.

Erin shared that the Faculty Senate has ownership of the calendar and that the Student Senate resolution and the Reopening Education Committee proposal are just proposals. The Faculty Senate has the role to make the decision on the calendar.

Erin explained that at the end of the June 29 meeting there a discussion of the calendar motion and there was an amendment on the table to end classes on the Tuesday before Thanksgiving and an amendment to that amendment to end face-to-face classes on the Friday before Thanksgiving. These were not voted on because there was a motion to postpone consideration until the next meeting of the senate and the motion to postpone was adopted.

Erin explained that Robert’s Rules of Order require us to pick up right where we left off at the last meeting. This would involve taking up those amendments. However, Erin asked for unanimous consent to suspend those rules and to resume our deliberation starting with the new calendar recommendation from the Education reopening committee. There were no objections made to this proposal.

The following proposal was presented:

**Motion: The Faculty Senate approves the following academic calendar for the Fall 2020 in light of the COVID-19 pandemic:**

- **Classes will start on August 31, 2020 as scheduled.**
- **Face-to-face (F2F) classes will end on Tuesday, November 24, 2020 and then switch to an online format after Thanksgiving (effective Monday, November 30) with classes ending on Friday, December 11.**

- **Final exams will be conducted only online as scheduled from December 15 to December 22.**
- **Mid-semester break (October 12) only will shift to an instruction day.**

**All face-to-face course instruction will end on Tuesday, November 24, 2020 and move to remote learning starting Monday, November 30, 2020. This includes face-to-face courses scheduled during E-term II.**

**Undergraduate and graduate student engagement in internships, clinical placements, and on-campus research should be allowed until the end of fall semester (December 22) as long as conditions allow for safe participation.**

**The Faculty Senate requests that the Registrar's Office balance the calendar during implementation in order to make sure there are equal numbers of class sessions across M W F and T R courses.**

**This motion does not apply to the UNH Law academic calendar.**

**\*Adoption of this motion by the Faculty Senate does not indicate Senate endorsement of all of the fall reopening plans.**

Discussion about the motion was held. There were some questions about the wisdom of adding Labor Day back in as a holiday and the budget implications of Thanksgiving week. Erin explained that there will be some pro-rating of room and board.

**Joe Dwyer made a motion to amend the motion to make Labor Day an instructional day. The motion was seconded. There was a discussion about this motion. The motion to amend was put to a vote. The result was 20 in favor, 24 opposed, and 12 abstentions. The motion did not pass.**

The discussion continued about the rest of the motion.

**Ivo Nedyalkov made a motion to amend the motion to end face to face classes on Friday, November 20, and move to remote learning on November 23 and 24. The motion was seconded. There was a discussion about this motion. The motion passed with 26 in favor, 25 opposed, and 5 abstentions.**

The discussion continued about the rest of the motion.

Jeffrey Halpern made a motion to add the following statement to the motion.

**The Senate asks that residence halls remain open until at least 6 PM on Wednesday, November 25, and that the dining halls remain open through at least Wednesday, November 25 lunch to allow for undergraduate students to leave campus in a staggered approach.**

The motion was seconded. The motion to amend was put to a vote. **The motion passed with 49 in favor, 1 opposed, and 1 abstention.**

One senator pointed out that there is a concern about maintaining the integrity of exams when they are given online. He asked if this motion would prevent faculty from giving comprehensive exams in-person prior to November 20. The chair explained that faculty can give comprehensive exams prior the shift to remote learning. She also explained that there is work being done by the Agenda Committee and the IT Committee on the issue of cheating and cheating prevention.

The motion, as amended, was presented as follows:

### **Faculty Senate Motion to approve the Academic Calendar for Fall 2020**

**Rationale:** UNH is planning for on-campus instruction for the Fall 2020; however, we are still facing the COVID-19 pandemic. The Academic Reopening Committee has recommended adjusting the Academic Calendar for the Fall 2020 in order to mitigate potential COVID-19 infections on campus that could spike due to traveling and new social contact points associated with the Thanksgiving holiday. This change would also eliminate the need to conduct another round of COVID testing on students returning to campus after travel for the Thanksgiving holiday.

#### **Motion:**

**The Faculty Senate approves the following academic calendar for the Fall 2020 in light of the COVID-19 pandemic:**

- **August 31: Classes will start as scheduled;**
- **September 7: Labor Day, University Holiday (no classes);**
- **November 11: Veterans Day, University Holiday (no classes);**
- **October 12: Instructional day;**
- **Face-to-face classes will end on Friday, November 20;**
- **Remote learning will occur on Monday, November 23 and Tuesday, November 24 with Thanksgiving break from Wednesday, November 25 through Friday, November 27;**
- **Remote classes will resume on Monday, November 30;**
- **Last day of classes for semester will be Friday, December 11;**
- **Final exams will be conducted only online as scheduled from December 15 to December 22.**

**All face-to-face course instruction will end on Friday, November 20, 2020 and move to remote learning starting Monday, November 23, 2020. This includes face-to-face courses scheduled during E-term II.**

**The Senate asks that residence halls remain open until at least 6 PM on Wednesday, November 25, and that the dining halls remain open through at least Wednesday, November 25 lunch to allow for undergraduate students to leave campus in a staggered approach.**

**Undergraduate and graduate student engagement in internships, clinical placements, and on-campus research will be allowed until the end of fall semester (December 22) as long as conditions allow.**

**The Faculty Senate requests that the Registrar’s Office balance the calendar in order to make sure there are equal numbers of class sessions across M W F and T R courses. This motion does not apply to UNH Law.**

**\*Adoption of this motion by the Faculty Senate does not indicate Senate endorsement of all of the fall reopening plans**

The motion passed with 51 in favor, 1 opposed, and 3 abstentions

VI. The motion on Faculty Discretion – Although the meeting was running over time, it was determined that there was a quorum and the decision was made to proceed with deliberation.

The motion was presented by Harriet Fertik and Kevin Healey, a member of the Agenda Committee. This motion was prepared in response to Harriet’s proposal at the June 29 meeting of the Senate about a circulating letter addressed to President Dean and Provost Jones on faculty autonomy regarding course delivery modalities this fall. Harriet had proposed that the Faculty Senate formally endorse that letter. Kevin Healey said that he was not comfortable with the tone of the circulating letter. Harriet and Kevin agreed to work together to prepare a motion on the subject.

Kevin presented the motion:

**Motion on Faculty Discretion on Course Delivery Methods  
During the Pandemic Emergency**

**Rationale:**

The special responsibility of faculty in the governance of UNH is described in the Joint Statement on Government of Colleges and Universities:

“The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. On these matters the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances and for reasons communicated to the faculty.”

The global coronavirus pandemic is clearly an exceptional circumstance, and we recognize that there are indeed compelling reasons for the president and governing board to exercise their powers of review and final decision-making with regard to the nature and extent of campus reopening after the sudden shift to remote learning in the spring 2020 semester. We share the administration’s concerns about financial stability, especially as it impacts job security for all workers across the university, and we acknowledge the administration’s painstaking efforts to plan and coordinate as safe as possible a reopening for the fall.

Nevertheless, the lack of transparency and clarity throughout the planning process for re-opening has inhibited the participation of the faculty in shared governance and thus largely excluded the significant insights, creativity, and expertise that faculty can bring to bear at this moment. With due respect to the administration's final decision-making power with regard to campus operations, the Senate reaffirms its primary responsibilities regarding all pedagogical matters. With specific regard to methods of instruction, the Senate asserts that decisions about course modalities, including face-to-face, hybrid, HyFlex, and remote learning approaches, should remain at the level of individual instructors in consultation with their department chairs. Instructors and chairs are most intimately familiar with the content of a given course, and with the particular needs of students within their major course of study, and therefore are best positioned to judge the appropriateness of methods of instruction.

In this light, the Senate cautions against any undue and adverse exercise of administrative review and decision-making powers, including but not limited to university-wide or otherwise across-the-board imposition of course-modality requirements, such as quotas or percentages for face-to-face instruction; as well as any obstructive or inhibitory review process above the departmental level. While the Senate welcomes guidance regarding such matters insofar as it is informed by students' stated preferences, projected financial impacts, and other considerations, methods of instruction are ultimately matters of pedagogical discretion and should remain as such.

The Senate affirms that the pandemic context, rather than displacing the role of faculty discretion or subordinating it to other matters, heightens the importance of pedagogical discretion with regard to course modalities, methods of instruction, and those aspects of student life related to the educational process. It is faculty, within the context of their home departments and programs, who know and appreciate most intimately the needs of students with regard to their educational experience. It is faculty who, through years of study and practice, have expressly chosen to devote time and energy to students' educational needs and interests and will continue to do so, whether at home or on campus, whether in person or at a distance, attending to students' educational needs and interests, understanding each individually, as persons still in the early stages of moral and intellectual development. It is for our love of teaching and of learning, and for all that these endeavors afford our society, especially as it faces the current international pandemic crisis, that we reassert our primary responsibilities. We do so not as a means of evading or postponing these responsibilities, but precisely as a means of enacting them in this moment of challenge and opportunity.

Given the rapidly-changing nature of the pandemic on a state, national, and international context; and given the uncertainty surrounding both internal and external metrics for potential limited or restricted operations in the fall; and given that effective course preparation requires adequate time and certainty with regard to teaching and learning conditions; and given that course modality requirements may result in inequitable distribution of labor and increased risk, especially among minoritized faculty and contingent faculty, when imposed administratively rather than emerging organically from faculty exercise of its primary responsibilities; the Senate offers the following motion.

**Motion:**



**In the interest of securing the best quality of instruction for students by providing faculty adequate time to prepare the most appropriate and effective methods for the current pandemic context, and in recognition of the unique challenges that minoritized and contingent faculty face during the pandemic, the Faculty Senate affirms that all faculty should retain and be permitted to exercise discretion with regard to curriculum, subject matter, and methods of instruction, including whether a given course shall be conducted face-to-face, in hybrid modality, or via remote learning; and we further assert that, provided such decisions maintain quality of learning and pathways to graduation for enrolled students, and with the student’s welfare uppermost, faculty discretion regarding face-to-face, hybrid, and remote learning modalities should not be undermined by any undue and adverse exercise of administrative review and decision-making powers, and this should remain effective for the duration of the pandemic emergency.**

There was discussion on the motion.

A motion was made to suspend the rules of the senate to allow for this motion to be voted on today was made and seconded. **The motion to suspend the rules was adopted with 46 in favor, none opposed, and 2 abstentions.**

**The Motion on faculty discretion was put to a vote. The motion passed with 40 in favor, 3 opposed, and 6 abstentions.**

VII. New Business: Ivo Nedyalkov suggested that a motion be crafted to express that UNH faculty will do whatever we can to ensure that our international students can stay and study in the US if there are such requirements that make this difficult.

Erin said that she is very confident that the Faculty Senate wants to support our international students. She suggested that the Agenda Committee, the Academic Affairs Committee, and Ivo continue to work on this to ensure that we can have a motion that is legally ok. For example, if UNH goes to the Red stage, we may not be able to legally offer face-to-face courses. She suggested that the Agenda Committee will discuss this at the next Agenda Committee meeting. If necessary, we can hold another Faculty Senate meeting although none is scheduled at this time. Also, there are actions that the Agenda Committee can take when the Senate is not in action. She thanked Ivo for his work in keeping track of this issue

VIII. Adjournment - The meeting was adjourned at 5:35 pm.

## Appendix

Some useful UNH Acronyms

<b>AAC</b>	Academic Affairs Committee (Faculty Senate standing committee)
<b>AC</b>	Agenda Committee of the Faculty Senate
<b>ASAC</b>	Academic Standards & Advising Committee
<b>APC</b>	Academic Program Committee (Faculty Senate standing committee)
<b>AT</b>	Academic Technology
<b>BAC</b>	Budget Advisory Committee
<b>CaPS</b>	Career and Professional Services
<b>C&amp;PA</b>	Communications & Public Affairs

<b>CCLEAR</b>	Clinical, Contract, Lecturer, Extension, Alternative Security, Research faculty
<b>CEITL</b>	Center for Excellence & Innovation in Teaching & Learning
<b>CORPAD</b>	University Committee on Real Property Acquisition and Disposal
<b>CPC</b>	Campus Planning Committee (Faculty Senate standing committee)
<b>FAC</b>	Finance & Administration Committee (Faculty Senate standing committee)
<b>FAR</b>	Faculty Activity Reporting
<b>IRA</b>	Institutional Research and Assessment
<b>IT</b>	Information Technology
<b>ITC</b>	Information Technology Committee (Faculty Senate standing committee)
<b>JSMB</b>	Joint Strategic Management Board (Navitas review)
<b>LC</b>	Library Committee (Faculty Senate standing committee)
<b>OISS</b>	Office for International Students & Scholars
<b>OS</b>	Operating Staff
<b>PACS</b>	Psychological and Counseling Services
<b>PAT</b>	Professional and Technical Staff
<b>PSC</b>	Professional Standards Committee (FS permanent committee)
<b>RPSC</b>	Research & Public Service Committee (Faculty Senate standing committee)
<b>SAARC</b>	Space Allocation, Adaption and Renewal Committee
<b>SAC</b>	Student Affairs Committee (Faculty Senate standing committee)
<b>SHARPP</b>	Sexual Harassment and Rape Prevention Program
<b>SSSC</b>	Student Success Steering Committee
<b>SVPA</b>	Senior Vice Provost for Academic Affairs
<b>UCAPC</b>	University Curriculum & Academic Policies Committee (FS permanent committee)
<b>VPFA</b>	Vice President for Finance and Administration